

<p>STATE OF MICHIGAN GENESEE COUNTY</p> <p>7th JUDICIAL CIRCUIT PROBATE COURT 67th DISTRICT COURT</p>	<p>In Re: Security Policies for Court Facilities</p>	<p>LOCAL ADMINISTRATIVE ORDER</p> <p>007 C25-2020-03J P25 2020-02J D67 2020-01J</p>
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7th Judicial Circuit Court, 900 S. Saginaw St., Flint, MI 48502 (810) 424-4355
 Genesee County Probate Court, 900 S. Saginaw St., Flint, MI 48502 (810) 257-3528
 67th District Court, 630 S. Saginaw St., Flint, MI 48502 (810) 235-3170

This joint local administrative order is issued in accordance with Michigan Supreme Court Administrative Order 2001-1. Joint local administrative order, Circuit Court 2010-02J, Probate Court 2010-01J and District Court 2010-01J are hereby rescinded. The purpose of this order is to address the issues of court security and courtroom decorum.

IT IS ORDERED:

Courthouse Security

1. No weapons or other impermissible items are allowed in the Genesee County Courthouse, 67th District Court-McCree Building, [hereinafter collectively referred to as Courthouse], or any satellite District Court or office, including the Office of the Friend of the Court, District Court Probation, Juvenile Probation, Court Services and the Specialty Courts Office.

Impermissible items include:

1. Firearms and explosives of any kind (including fireworks);
2. Knives, box cutters, razor blades, fingernail files, scissors, knitting needles and similar items;
3. Tools, such as hammers, screwdrivers, pliers, wrenches, nails, chains or any tool that may be used as a weapon;
4. Chemicals sprays, such as mace, pepper sprays or any spray that could be considered harmful;
5. Marijuana or other intoxicating substances.

Prohibited items will not be held for safekeeping by security personnel.

This prohibition specifically does not apply to security personnel of the Court, personnel of the Office of the Genesee County Sheriff or local law enforcement officers appearing in the performance of their official duties, if the officer is in uniform (or otherwise properly identified) and is not a party to a matter then before the court.

The Chief Judge may authorize additional exceptions under appropriate circumstances. To be permitted to carry a weapon on court premises, judges or court staff must receive written permission in advance from the Chief Judge, including the scope and duration. The authority of the Office of the Genesee County Sheriff is not abrogated by this provision.

- 2. Cell phones, smart phones, and other portable electronic devices, defined as mobile devices capable of electronically storing, accessing, or transmitting information (e.g., laptops, tablets, PDAs, cameras, etc.) are permitted in the Genesee County courthouses or any satellite District Court or office, including courtrooms, with their use subject to specific guidelines:**
 - 1. Cell phones and other such devices must be on 'silent' or vibrate' mode anywhere in the courthouse, including courtrooms;**
 - 2. Aside from media, the use of photographs or taking audio/video recordings, broadcastings or livestreaming is strictly prohibited in the courthouse, without the prior express consent of the individual(s) to be photographed/recorded.**
 - 3. In a courtroom, the use of such devices for the taking of photographs or taking audio/video recordings shall be strictly prohibited without the express permission of the presiding judge or hearing officer. The use of such devices shall not be unduly disruptive and shall not otherwise interfere with court proceedings;**
 - 4. Outside a courtroom, an individual may use a portable electronic device, subject to the authority of judges, the clerk of the court or a court administrator to limit or terminate activity that is disruptive to court operations or that compromises courthouse security;**
 - 5. These guidelines are not intended to interfere with media coverage provided in Michigan Supreme Court Administrative Order 1989-1.**
 - 6. Exceptions to the above restrictions are generally allowed for ceremonial events including adoptions, marriages, and bar admission ceremonies. Requests for such exceptions shall be presented to the presiding judge for approval. Requests for film or electronic media coverage of a court**

proceeding shall be governed by Michigan Supreme Court Administrative Order 1998-1.

3. Notice of the use of cell phones and other portable electronic devices will be conspicuously posted on the exterior of court facilities.
4. Except for service animals, no animals are allowed in the Courthouse or any satellite District Court or court office.
5. If a service animal enters the Courthouse with a person, the security officers shall only inquire if the animal is a service animal and what tasks the animal has been trained to perform. The person shall not be required to produce any identification or explain any disability. The person with the service animal is to be treated as any other person while in the courthouse.

If a service animal is out of control, the person using the animal shall immediately take effective action to control the animal. If the owner does not immediately take effective control and the animal poses a threat to the health or safety of any person or another service animal, the security officer may ask that the animal be removed from the courthouse. If the person using the out of control service animal still has business in the courthouse, the security officers will offer assistance in completing the business without the aid of the service animal.

6. All persons, their belongings and parcels are subject to screening by the Office of the Genesee County Sheriff or other security or law enforcement personnel for purposes of keeping weapons or other impermissible items from entering court facilities.

If at any time there is an articulable and reasonable suspicion that a weapon, marijuana or other intoxicating substances or other impermissible item, may be found, a person or object is subject to search. The search shall be no more intrusive than necessary to protect against the dangers presented.

7. Notice shall be posted at the entrances to the Courthouse and all satellite District Court or satellite court offices, that "weapons or other impermissible items are not permitted and that all persons, belongings and parcels are subject to a search for weapons and impermissible items, as a condition of entry. Persons in violation of this order may be held in contempt of court."
8. Notice shall be posted that "no marijuana or other intoxicating substances" are permitted. All persons and parcels are subject to a search for marijuana or other intoxicating substances as a condition of entry. Persons in violation of this order may be held in contempt of court."

9. **Marijuana use remains illegal and fully criminalized according to federal law and the Genesee County Courts are subject to the Drug Free Workplace Act of 1988. Employees, officials, contractors and court users who violate court policy prohibiting the use or possession of illegal drugs in court facilities will continue to be subject to legal and disciplinary action.**
10. **After hours courtroom usage must be requested in advance and approved by the appropriate court administrator. Individuals permitted to use courtrooms may be required to be financially responsible for security costs as determined by the Office of the Genesee County Sheriff.**

Courtroom Security

1. **The level of courtroom security will be determined by the chief judge, assigned judge or their designee, and the Office of the Genesee County Sheriff, and will be commensurate with the nature of the proceedings, including any increased risk factor that may be associated with a particular case.**
2. **When the Chief Judge, assigned judge or their designee believes increased courtroom security is necessary for a specific case, they shall use their best efforts to contact the Office of the Genesee County Sheriff 48 hours in advance of the proceeding to discuss and determine the appropriate level of security.**
3. **Multiple defendant criminal cases will require a greater security presence to ensure public safety and promote courtroom decorum.**
4. **Judges recognize the right of access by the public to court proceeding. This right may be limited as circumstances require pursuant to Michigan Court Rule 8.116(D)(1).**

Gallery Seating Protocol

1. **The chief judge, assigned judge or their designee may limit public seating to promote courtroom safety and decorum.**
2. **Seating may be reserved for victim or defendant family.**
3. **The judge may limit the opportunities for courtroom entrance and exit, while the court is in session.**
4. **No standing will be allowed when court is in session.**

Courtroom Decorum


Important legal proceedings take place within a courthouse. Appropriate attire is encouraged.

A judge may require a litigant, witness, attorney or observer to leave the courtroom or adjourn a proceeding to comply with standards of courtroom decorum.

Courtroom Restrictions


1. No food or drink shall be brought into a courtroom.
2. Court patrons, including attorneys, parties, jurors, and witnesses, shall adhere to the guidelines regarding the use of cell phones and other portable electronic devices in the courtroom, as detailed paragraph 2. of this policy and Michigan Court Rule 8.115(C).

Effective Date:


Duncan M. Beagle, Chief Judge
7th Circuit and Probate Courts

2-28-20

Date


Christopher E. Odette, Chief Judge
67th District Court

2-2-20

Date